



DEPARTMENT OF STATE

Washington, D.C. 20520

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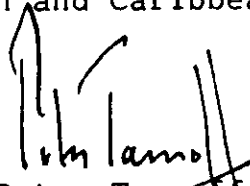
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(ENTIRE TEXT)

April 7, 1979

MEMORANDUM FOR DR. ZBIGNIEW BRZEZINSKI
THE WHITE HOUSE

Subject: Status Report on Progress in Human
Rights in Latin America

In accordance with your request of March
14, there are attached human rights progress
reviews on Latin American and Caribbean countries.


Peter Tarnoff
Executive Secretary

Attachments:


As stated.

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(GDS 4/4/85)

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ARGENTINA

1. Human Rights Conditions in January, 1977

Ten months after having carried out a military coup that removed President Isabel Peron from power, the Argentine Armed Forces were at the height of an anti-subversive campaign to put an end to urban and rural guerrilla movements. The campaign was conducted under a state of seige and the security forces of the police and the military ruthlessly pursued all suspected subversives, detained them clandestinely and abused them severely. Prisoners were subjected routinely to torture during interrogation and general abuse during detention. In January 1977, approximately 280 persons per month were being detained (both legally and otherwise) by the security forces and throughout the anti-subversive campaign an estimated 15,000 persons disappeared. Most were probably summarily executed. The Government eventually acknowledged the detention of over 3,000 persons. Many of these persons had no connection to subversive movements.

2. Major Human Rights Events Since January 1977

1. February , 1978

The Government published the first in a series of lists that purported to list all PEN detainees.

2. February-March 1978

There were reliable reports concerning the surfacing of mutilated bodies on beaches. None were subsequently identified, to our knowledge. Similar credible reports circulated in December.

3. April 17, 1978

Jacobo Timerman was transferred to house arrest where he still remains despite a July 20 Supreme Court finding that there were no grounds for his detention.

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4. May 7, 1978

A 3-page ad appeared in La Prensa consisting of a letter to Videla and the names of 2,592 disappeared persons. It was funded by the PAHR, the League on Human Rights, and the Ecumenical Movement. It symbolized the increase in activity by those groups and the increasing willingness of the press to address the issue either in this form or through reporting and editorials.

5. October 17, 1978

The Government announced that the IAHRC had been invited to Argentina. An earlier conditioned request made in June was rejected by the IAHRC.

6. December 1978

The Plaza de Mayo was closed to the Mothers as their regular meeting and demonstration site.

7. December 1978

Politically-inspired abduction and murder of Argentine career diplomat Elena Holmberg causes widespread shock and concern among influential circles who had previously ignored problem of disappearances.

8. December 25, 1978

A Christmas amnesty benefited 193 persons of whom we know 186 were actually released.

9. Early 1979

Preliminary evidence suggests a decrease in violations of category one rights with few reports of disappearances or torture having been received.

10. March 1979

The local ICRC representative stated that

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prison conditions had clearly improved and he expected further improvements both because of the IAHRRC visit and because government officials now seemed to want the improvements.

There was probably some quantitative improvement in 1978 with respect to 1977, but the qualitative aspect remained little changed with disappearances continuing at a high rate and torture and prisoner mistreatment common.

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BOLIVIA

1. Human Rights Conditions in January, 1977

Bolivia is one of the poorest nations in Latin America. Its political history has been characterized by plotting, revolution and military coups with subsequent rule by decree. The regime of President Hugo Banzer came to power in an August 1971 coup. As of January 1977 the activities of political organizations, including trade unions, were in suspension. A State of Siege had ended in July, 1976, but a 1972 Decree-Law permitted indefinite detention of individuals considered a threat to internal security. Some active critics of the Government were subjected to arbitrary arrest, detention and exile. In November 1976 the Minister of Interior announced that there were 87 political detainees. At the end of 1976 the GOB issued an amnesty for 70 Bolivians, some of whom were in exile. Fair and public hearings were not normally allowed to political prisoners. Freedom of assembly was limited by a 1974 decree banning political meetings. The press and other media enjoyed considerable freedom, but self-imposed restraints on criticism of the President and Armed Forces existed. Labor unions were limited in their rights to organize or to engage in collective bargaining. Labor leaders and others actively opposing the Government were exiled.

2. Major Human Rights Events Since January, 1977

1. November 9, 1977 - General Hugo Banzer, President since 1971, lifts 1974 Decree banning political activity and announces elections for July 1978.
2. December 21, 1977 - GOB releases 33 of 52 known political prisoners and allows most political exiles to return.
3. January 17, 1978 - Under pressure of an on-going hunger strike, GOB grants full amnesty to all political prisoners and exiles. Banzer also ends system of "residenciamiento", or internal exile.
4. January 1978 - All restrictions on trade union activities are lifted.

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5. February 10, 1978 - The United States and Bolivia sign a treaty that allows for certain prisoners of one country held in the other to be repatriated to complete their sentences. Several American prisoners held in Bolivian jails are returned in August.
6. July 9, 1978 - First national election since 1966 takes place with wide open campaign and public debate. Electoral process marred by widespread fraud.
7. July 21, 1978 - Air Force General Juan Pereda, the official candidate in the election becomes President after leading a bloodless coup. New elections are promised within 2 years.
8. August-September 1978 - After regaining their full autonomy, sectors in the Bolivian University system hold elections for university and student authorities.
9. November 1978 - Several persons arrested in a failed coup attempt. Using legal technicalities, GOB denies their writ of habeas corpus. One of the plotters is beaten during interrogation.
10. November 24, 1978 - Army General David Padilla leads another bloodless coup and assumes Presidency. He calls elections for July 1979.

In spite of the political turbulence that characterized 1978, the human rights momentum initiated by President Banzer in late 1977 has been maintained and Bolivians today enjoy human rights denied them by successive military governments over the previous several years.

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BRAZIL

1. Human Rights Conditions in January, 1977

President Geisel was approximately mid-point in his five year term during which he had promised significant political liberalization. The previous year, 1976, he had removed the commanding general of the II Army following the highly publicized death of two prisoners. Reports of abuse of political prisoners immediately declined sharply. By 1976 censorship of written media had largely been ended.

2. Major Human Rights Events Since January 1977

1. Geisel suspends Congress for two weeks - April 1977.
2. Geisel unseats the opposition leader in the Chamber of Deputies - June 30, 1977
3. Geisel issues order to military prohibiting continued abuse of human rights - July 1977.
4. Geisel lifts remaining censorship of written media - June 1978.
5. Army Minister charges "Em Tempo" newspaper with slander against Army - August 16, 1978.
6. Brazilian exile, reportedly among first to return, is unanimously acquitted by Superior Military Court - August 22, 1978.
7. Direct national elections held for Chamber of Deputies, one-third of the Senate, and state legislatures; indirect elections held for President, one-third of the Senate, and governors - September-November 1978.
8. Institutional Act No. 5, granting the President power to close Congress and terminate the mandates of elected officials, is revoked - January 1, 1979.
9. A new and less severe National Security Law is promulgated, but Article 50 allows the GOB to censor the press - January 1, 1979.
10. Figueiredo intervenes three striking Sao Paulo metal workers unions; conciliatory cooling off agreement reached - March 23-29, 1979.

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Brazil has experienced marked improvement in political and civil rights performance over the last two years. Torture of political prisoners has virtually been eliminated. However, police mistreatment and torture of those charged with common crimes remains a deeply rooted problem of Brazilian society.

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CHILE

1. Human Rights Conditions in January, 1977

The worst human rights abuses took place from the coup of 1973 until approximately mid-1976. After that, the regime released or sent into exile the great majority of the political prisoners being held and reduced the incidents of "disappearances" and torture. In January 1977, there were between 200 and 300 political prisoners, and exiles then leaving the country numbered in the hundreds rather than the earlier thousands. A State of Siege was in effect. Disappearances continued, but less frequently (between five and ten for 1977 compared to over 100 in 1976). Nonetheless, there had been no progress in the area of legal and institutional guarantees of human rights, and political, civil and labor rights were still severely abridged.

2. Major Human Rights Events Since January 1977

1. March 11, 1978 - GOC discontinued the State of Siege but extended the State of Emergency for six months. Provisions of Emergency are less harsh than those of Siege but still allow for extraordinary governmental control over Chilean society.
2. April 18, 1978 - GOC granted sweeping amnesty which pardoned crimes committed by both opposition and security forces during post-1973 repression. Most political prisoners released or exiled. Some exiles allowed to return; many others denied permission.
3. July 1978 - President Pinochet announced plans for eventual return to a controlled democracy in speech at Chacarillas.

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4. July 1978 - GOC allowed ad hoc Working Group of U.N. Human Rights Commission to visit Chile. Group's report noted improvements but also noted serious and continuing violations.
5. November 6, 1978 - GOC extended State of Emergency for six months.
6. November 1978 - GOC moves against major trade unions; imposes new restrictions.
7. November 30, 1978 - Sixteen cadavers, obviously executed and subsequently identified as "disappeared persons" from 1973, were discovered at Lonquen. Chilean judiciary is investigating.
8. December 1978 - UN replaced Ad Hoc Working Group with Special Rapporteur. Trust Fund for Victims and Committee to investigate fate of the 650 persons who disappeared since September 1973.
9. January 24, 1979 - GOC announced plan for limited restoration of trade union rights in Chile by June 1979.
10. March 11, 1979 - GOC again extended State of Emergency for six months.

The human rights situation in Chile, although much improved in certain respects since January 1977, remains serious and will continue to be of concern until appropriate guarantees of human rights are restored and until Chile is clearly on the path toward constitutional, democratic government.

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COLOMBIA

1. Human Rights Conditions in January, 1977

Colombia was a practicing constitutional democracy with an elected president, a two-house legislature, and an independent judicial system. Though beset with serious problems--including poverty, crime, narcotics trafficking, well-organized guerrilla terrorist activities, and occasional public disorders--Colombia's adherence to its democratic traditions and its respect for human rights was and has remained strong.

A state of siege, one of the many that have been imposed on-and-off over the past 25 years, was in effect in January 1977. This one had been imposed on October 7, 1976 because of increasing public disorder. Under a state of siege, the Government has broad powers to arrest and detain persons to preserve public order.

2. Major Human Rights Events Since January, 1977

1. Amnesty International Secretary General Martin Ennals congratulates President Lopez Michelsen in February 1977 for supporting resolution on torture at U.N. General Assembly.
2. National strike takes place in which some 30 persons are killed and close to 4,000 arrested and detained for disturbing public order in September, 1977.
3. Julio Cesar Turbay Ayala, Liberal Party candidate, wins hotly contested election in June 1978.
4. Government enacts Security Statute based on Article 121 of Constitution, and state of siege in effect since October 7, 1976, to combat rising wave of terrorism.
5. 103 suspected members of People's (EPL) Liberation Army, including 34 students, are arrested in October 1978. Students claim they were tortured.

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6. Terrorist group, M-19, seizes almost 5,000 weapons from Government arsenal in northern Bogota, December 31, 1978/January 1, 1979.
7. Security forces make sweeping arrests which appear to roll-up M-19 terrorist group in Bogota, as well as other dissidents. Widespread charges of mistreatment of detainees focuses worldwide attention on human rights situation in Colombia. Government denies charges and orders investigations (January 1979).
8. Most arrested suspects are released after short detention. Charges are filed against some and trials begin in military courts in February resulting in some acquittals. All defendants have access to counsel.
9. On February 27, 1979 in a speech inaugurating an extraordinary session of Congress President Turbay stated that the individuals were detained by Military Institute Brigade under Article 28 of the Constitution. He declared that Congress should concern itself seriously with human rights questions and promised to present to next ordinary session of Congress legislation establishing position of "Defender of Human Rights."
10. On March 20, 1979 the Attorney General of Colombia, an official independent of both executive and legislative branches, submits his final report on the November, 1978 torture charges to President Turbay. Based in part on investigations carried out by a special military judge, the report absolves military personnel of torture charges.

The human rights situation, complicated by social unrest, increased terrorist/guerrilla activity and the Government's attempt to suppress such activity, has worsened somewhat since January 1977. The Government appears to be making a serious effort to conduct the campaign within constitutional and legal norms.

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ECUADOR

1. Human Rights Conditions in January, 1977

In January 1977 the human rights record in Ecuador was reasonably good. Although arbitrary arrests and short-term imprisonment occasionally took place (particularly of persons participating in anti-government plotting or illegal strike activity), there were no reports of torture, cruel or inhuman punishment. The great majority of Ecuadoreans had access to a fair trial and the Government generally respected freedom of expression, press, religion and assembly. The Government, however, did not hesitate to break up illegal strikes, to crack down hard on organized labor, and to jail anyone insulting its "dignity".

2. Major Human Rights Events Since January, 1977

1. Since 1977 the military government has implemented the plan to return the country to civilian rule.
2. On October 18, 1977 police attempted to disperse a crowd of striking workers. Panic ensued and twenty-five workers died.
3. On October 21, 1977 Ecuador ratified the American Convention on Human Rights.
4. On February 20, 1978 Assad Bucaram, leader of the populist Concentration of Popular Forces (CFP) and a severe critic of the military, was barred by the government from running in the presidential race. On July 16, 1978 the first round of presidential elections was held resulting in a surprise victory for CFP candidate Jaime Roldos.
5. During September 1978 the electoral board, together with some elements within the commercial oligarchy and the military, attempted to derail the electoral process by asserting that massive fraud had taken place on July 16. On September 23, 1978 the Supreme Council of Government announced that the process would continue.

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A definite timetable was announced for completion of the process.

6. On November 29 maverick politician Abdon Calderon, leader of the small Fuerte Radical Alfarista, was shot in Guayaquil; he died ten days later in a Miami hospital.
7. Minister of Government General Bolivar Jarrin, implicated in the Calderon assassination, was dismissed on December 18.
8. In January 1979 a report from Amnesty International noted that some Shuar Indians may have been tortured by provincial police to force confessions in a murder case.
9. By mid-March 1979 the government had begun a crackdown of its critics. On March 17 a magazine that had criticized the government was shut down. On March 15 a retired military officer was sentenced to 2 years in jail and on March 19 a 70 year old journalist in frail health was detained in a military clinic both for criticizing the government.
10. On March 23 Minister of Government Garces promised the Embassy's Political Counselor that a full investigation regarding the Shuar case would be conducted.

Although recent incidents cast a shadow over Ecuador's relatively good human rights record, there is great optimism that the electoral process will be allowed to continue and that a democratic government, more responsive to human rights, will be inaugurated on August 10, 1979.

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PARAGUAY

1. Human Rights Conditions in January, 1977.

In January, 1977 integrity of the person was the overriding concern. Paraguay was holding about 600 political prisoners, torture was routinely employed on detainees, due process was rarely available. There were widespread (and generally believed) charges that Paraguay was pursuing a policy of genocide against unassimilated Indians, especially the Ache tribe. Political freedoms were severely restricted. State of Siege legislation authorized Executive suspension of basic freedoms at will. Freedom of assembly and the press were sharply curtailed. There was a Human Rights Commission but it was not very active. The Inter-American Human Rights Commission (IAHRC) was not formally in contact with the government. It was generally believed that the Paraguayan government was not committed to development with equity. The "Stroessner dictatorship", which showed no signs of ending, was generally considered one of the worst violators of basic human rights in the hemisphere.

2. Major Human Rights Events Since January, 1977

1. Of 600 political prisoners held in early 1977, all but 5 had been released as of December, 1978.
2. Torture has been discontinued except in isolated cases, the two most recent occurring in early 1978.
3. State of siege lifted outside Asuncion May 2, 1978.
4. Stroessner and Colorado dominated Congress re-elected for five years in controlled elections. February, 1978.
5. Stroessner in September, 1977 promised President Carter to schedule visit by IAHRC at "a future date". Visit not yet scheduled.
6. Press freedom became largely complete in 1978, save restrictions on attacking President and Military, and continuing control of electronic media.
7. Liberal leader Domingo Laino arrested, held 6 weeks and released in mid-1978.

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8. Responding largely to international opinion, Paraguay Indian Institute placed under new Director with a mandate for improvements, mid-1978.
9. First Paraguayan Human Rights Congress held, December 1978.
10. President of Paraguay Human Rights Commission and peasant leader charged with violations of law. Attack considered politically motivated. Not expected to reach stage of formal trials. February-March, 1979.
11. Major ongoing agrarian resettlement results in return of about 200,000 emigres from abroad to Paraguay, many and perhaps most returning since 1976.

There have been notable reductions in abuses of integrity of the person and in restrictions on freedom of the press and assembly; there has also been progress on development with equity. However the principal institutions of repression remain in place and political liberties are still severely restricted.

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PERU

1. Human Rights Conditions in January, 1977

In January 1977, constitutional guarantees on habeas corpus, inviolability of the home, public assembly, freedom to travel and freedom from deportation were still suspended because of public disturbances that had occurred in mid-1976. Amnesty International reported some allegations of police torture during the investigative stage of criminal proceedings. These appeared to be acts by individual policemen. The government promised to investigate and to punish any guilty policemen. The antiquated legal system was characterized by lengthy delays in trial proceedings.

Peru had already entered a deep economic crisis, which continues. Limited tax revenues sharply reduced the government's ability to extend health, educational, and other social services to the poor, and forced it to lower or eliminate subsidies on food.

The Government occasionally detained and deported labor leaders and leftist politicians who attempted illegally to organize strikes at times when a state of emergency was in effect. National circulation daily newspapers were under direct government editorial control. Independent magazines existed, but were occasionally suspended.

2. Major Human Rights Events Since January, 1977

1. Price rises provoke disturbances with loss of life, June 1977.
2. Mrs. Carter's June 1977 visit serves as catalyst for Peruvians to reexamine their human rights performance.
3. Peru signs American Convention on Human Rights, July 1977, and subsequently ratifies.
4. Price rises for food and public transport spark widespread disturbances; some 15-20 persons shot by police, May 1978.

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5. Free elections held for Constituent Assembly, June 1978. Assembly has met continuously to discuss national issues and draft new constitution. Elections scheduled for 1980.
6. State of emergency imposed to break mining strike, August-September 1978.
7. Communist-led unions fail in attempt to mount general strike, January 1979. Government briefly detained 1500 people including strike leaders and some politicians, to break the strike. Government reimposes state of emergency until March, 1979, and suspends 10 independent publications.

Despite the imposition of harsh measures against the press and certain labor activities, and the continuing economic crisis which has reduced real incomes by 40% in recent years and lowered living standards of the poor, Peru has made solid progress toward the reinstitution of elected constitutional government.

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URUGUAY

1. Human Rights Conditions in January, 1977

Integrity of the person was the most serious concern. Uruguay had up to 3,355 political prisoners. Torture was routinely used, regularly resulting in deaths. Disappearances were also often reported. Legal protection of the person was virtually in suspense with most "trials" in camera by military courts. Due process was unavailable and press coverage unknown. In fact, most political freedoms were in suspense. Political parties were not allowed to function, freedom of assembly was not recognized, news media were tightly controlled by censors and self-censorship. Red Cross visits to prisoners had been suspended and neither the Inter-American Commission on Human Rights nor other international agencies were authorized to visit the country. While a formal civilian government was in existence, de facto control was in the hands of a council of General Officers, with no evidence of when they might relinquish power.

2. Major Human Rights Events Since January, 1977

1. From up to 3,500, political prisoner population reduced to about 1,800, including 300 convicted of violent crimes, by January, 1979.
2. Institutionalized torture apparently was discontinued in 1978 although some reports continue. However mistreatment, especially during interrogation, continues.
3. About 200 short term detentions reported in 1978. Most, if not all, released within weeks.
4. Two Uruguayan U.N. mandated refugees kidnapped by Uruguayan security forces from Brazil in November, 1978.
5. Sweep arrests of about 20 Communists in February, 1979.
6. First ever prisoner list presented to UNHRC and USG in March, 1979.

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7. International Red Cross officials visit Uruguay at government's invitation to discuss renewal of prisoner visits. March, 1979.
8. Public trials held for political prisoners. March, 1979.
9. Five key Military Commanders reinforce pledge of elections in 1981. March, 1979, during assumptions of commands.

There have been some significant improvements in integrity of the person, especially regarding torture, reduced detentions, and release of prisoner list. However, serious problems remain, especially continued detention of far too many political prisoners and absence of judicial and other institutional safeguards for individuals and associations. There is also still virtually no freedom of political activity. Whether and how restrictions will be relaxed before 1981 elections remains to be seen.

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VENEZUELA

1. Human Rights Conditions in January, 1977

In January, 1977, Venezuela was a stable practicing democracy with a very good human rights record. Venezuela took a leading position in international fora in advocating respect for human rights. There was freedom of speech, press, religion and assembly and freedom to participate in the political process. There was respect for the integrity of the person and laws against arbitrary arrest or imprisonment were respected.

2. Major Human Rights Events Since January, 1977

1. The GOV ratified the American Convention in August, 1977.
2. Unconfirmed press stories have reported the murder over the past year of a large number of illegal Colombian immigrants by the Venezuelan National Guard.
3. Free and peaceful elections were held on December 3, 1978 in which a new President and Congress were chosen.

Venezuela has remained a stable practicing democracy with a very good domestic human rights record. The GOV has consistently exercised leadership in the UN, the OAS and other international fora on behalf of human rights.

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